

1 UNITED STATES DISTRICT COURT

2 CENTRAL DISTRICT OF CALIFORNIA

3 WESTERN DIVISION

5 THE HONORABLE MANUEL L. REAL, U.S. DISTRICT JUDGE

6 PRESIDING

7

8 THE UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 vs.) No. CR 13-904-R
11)
12 BILLY KHOUNTHAVONG, ET AL.,)
13 Defendants.)
14

15

16 REPORTER'S TRANSCRIPT OF TRIAL PROCEEDINGS

17 LOS ANGELES, CALIFORNIA

18 TUESDAY, FEBRUARY 3, 2015

20 **VOLUME I/AM SESSION**

21 PAGES 1 - 95

22

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24 United States Courthouse
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4 **For the Defendant BILLY KHOUNTHAVONG:**

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1 **LOS ANGELES, CALIFORNIA; TUESDAY, FEBRUARY 3, 2015; 9:10 A.M.**

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4 THE CLERK: Item No. 1, CR 13-904-R, United States of
5 America v. Billy Khounthavong, et al.

6 Counsel, please state your appearances.

7 MS. CARTER: Good morning, Your Honor. Maggie Carter
8 and Lawrence Middleton on behalf of the United States. Also
9 seated at counsel table is Special Agent Jason Dalton of the
10 FBI.

11 MR. CANTALUPO: Good morning, Your Honor. Dominic
12 Cantalupo appearing with Billy Khounthavong, who is present.

13 MR. DIAZ: Good morning, Your Honor. Umberto Diaz on
14 behalf of Johnny Khounthavong, who is present.

15 MR. BRAUN: Good morning, Your Honor. Adam Braun
16 appearing for Johnny Khounthavong, who is present.

17 THE COURT: All right.

18 Some problem here?

19 MR. CANTALUPO: Yes, Your Honor. I wanted to raise
20 an issue regarding potential expert testimony and the potential
21 of the government introducing expert concepts in its opening
22 statement.

23 As the court will recall, early in this case,
24 Mr. Billy Khounthavong was denied CJA appointment of an expert.
25 So we've had no use of an expert throughout the trial

1 preparation. We provided a notice to the government requesting
2 that they provide us with their expert notice early in the
3 case -- I believe it was in January of last year -- and the
4 government has not provided any such notice.

5 What I'm concerned about is that the government has
6 on its witness list several individuals who are employed by
7 banks. I'm not aware -- or I don't believe that all of those
8 witnesses have percipient knowledge, and I'm concerned that the
9 government may attempt to elicit some sort of expert testimony
10 in terms of concepts such as "bail buy," which is a term that
11 was used in the complaint. It's not in the indictment, but it
12 is in the complaint. I believe that's an expert concept for
13 which, again, Mr. Billy Khounthavong has had no opportunity to
14 investigate that concept and explore rebuttals to that.

15 So also, during the testimony of these bank
16 witnesses, I would ask the court to instruct the government not
17 to elicit any sort of hypothetical situations from these
18 witnesses.

19 Also, in --

20 THE COURT: They're experts.

21 MR. CANTALUPO: Excuse me?

22 THE COURT: They're experts and they're percipient
23 witnesses. They can certainly give their opinions.

24 MR. CANTALUPO: The government has not provided any
25 expert notice. So as I understand it, the government does not

1 intend to call any experts to the stand.

2 Also, I understand that the government intends, in
3 its opening statement, to discuss the concept of bail buy.
4 Again, I would ask the court to instruct the government not to
5 mention that in opening or even during their examination of the
6 witnesses. It's an expert concept for which we've had not had
7 an opportunity to address or to investigate in any way, being
8 denied the funds to retain an expert.

9 THE COURT: Ms. Carter.

10 MS. CARTER: Your Honor, we do have bank witnesses on
11 our list, but they are not going to be testifying as expert
12 witnesses. They're percipient witnesses in the following
13 sense: They will be testifying about the bank loan files that
14 are going to be at issue in this case. They're going to be
15 explaining the different kinds of loan documents in those
16 files. They're also going to be explaining at what point in
17 the process their particular bank asks for those documents and
18 how their particular bank uses those documents.

19 To the extent we're asking hypotheticals, it would
20 only be insofar as how would -- how could or how did a
21 particular response on a particular loan form or a particular
22 document submitted to your bank, how did or how could that have
23 influenced your bank.

24 Similarly, if there's an alter -- even if the
25 opposite response: How did or how would that influence your

1 bank? And we believe that this is well within their ability to
2 testify about as percipient witnesses in the context of their
3 experience and knowledge about affairs and loan files at their
4 own banks.

5 With regard to this mention of "buy bail," the
6 government plans on discussing this concept, and introducing
7 this concept in a layman sense, that a home was purchased,
8 there was a buy, and then a home was sold in a short sale.
9 There was a bail, and the defendants no longer had to pay their
10 mortgages, therefore, as a result of these two transactions.
11 So we don't believe that it's in any way an expert concept.
12 It's descriptive of the transactions in the case.

13 MR. CANTALUPO: Well, a description of the
14 transaction is one thing, but to phrase it in the term of a
15 "concept" is completely different. If the government wants to
16 discuss that the -- there was a purchase of a home, and then
17 later the selling of another home, that's perfectly fine. It's
18 the introducing to the jury the concept of buy bail through its
19 opening or through the witness that is a problem.

20 Also, in regards to what the bank would rely on, or
21 what the bank does in processing these applications, that's,
22 again, a concept for which we've not had an opportunity to have
23 our own expert to tell us how to rebut what this witness would
24 say. And the government has not provided any notice that it
25 intends to --

1 THE COURT: No, you're not -- no. They're giving
2 just what their percipient -- and what they know about the form
3 because that's what they do as work. It's not as an expert,
4 it's as their work, on a daily work. They are, quote, "not
5 experts" in the sense of testimony expert, but they're expert
6 in -- that's their job. That's their job. They can't change
7 anything with reference to that, but they can explain what
8 their job is about, certainly.

9 MR. CANTALUPO: Absolutely. I don't disagree with --

10 THE COURT: That's all she says, Counsel.

11 MR. CANTALUPO: Well, to the extent that she is going
12 to elicit hypotheticals if you -- if the bank had a certain
13 piece of information, what would the bank do, that's not in
14 their job, that is in the scope --

15 THE COURT: That's in their job, what the bank would
16 do. That's what they do on a daily basis. When they're given
17 something, and somebody gives them something, and they want to
18 explain it to the person, or they know what it is that has been
19 given to them. It's not a question of expertise, it's their
20 job.

21 MR. CANTALUPO: What about the use of the term "buy
22 bail"? Will the court instruct the government not to --

23 THE COURT: No, I'm not going to tell the government
24 how to try their case, and you can't tell them how to try their
25 case. They'll try it the best they can. That's it. But I'm

1 not going to tell them, You got to do it this way or that way.

2 That's not my function. That's not my function as a judge.

3 MR. CANTALUPO: Very well. All right.

4 THE COURT: All right.

5 As you know, we make the opening statement to the
6 panel before we place anybody in the jury box. Be those
7 matters, as you all have been here before, so you know that, in
8 that respect, and then we will proceed in the trial.

9 There will be some problems with this week in terms
10 of trial basis. I have something, another matter that I have
11 to take care of this afternoon. And Friday, there isn't any
12 question, at least in the morning, that I will be attending the
13 matter for Judge Alarcon at the cathedral. So there will be
14 some matters that are not going forward totally as they usually
15 do in this courtroom.

16 We'll be in recess while we bring down the jury.

17 MS. CARTER: Your Honor.

18 THE COURT: Yes.

19 MS. CARTER: Before we recess, I just wanted to
20 inform the court that during my opening statement, I do plan on
21 showing a few slides. Most of these are already exhibits that
22 have been stipulated to by the party, with one exception, which
23 is kind of a subset of data that the party has stipulated to.

24 THE COURT: All right.

25 (Recess)

1 (Open Court - Jury Present)

2 THE CLERK: Calling Item No. 1, CR 13-904-R, United
3 States of America v. Billy Khounthavong, et al.

4 Counsel, please state your appearances.

5 MS. CARTER: Good morning, Your Honor. Maggie Carter
6 and Lawrence Middleton on behalf of the United States. Also
7 seated at counsel table is Special Agent Jason Dalton of the
8 FBI.

9 MR. CANTALUPO: Good morning, Your Honor. Dominic
10 Cantalupo, appearing with Mr. Billy Khounthavong.

11 MR. DIAZ: Good morning, Your Honor. Umberto Diaz on
12 behalf of Johnny Khounthavong, who is present.

13 MR. BRAUN: Good morning, Your Honor. Adam Braun
14 with Benny Khounthavong.

15 THE COURT: Members of the jury panel, you've been
16 called this morning as possible jurors in the matter of the
17 United States of America v. Billy Khounthavong, Benny
18 Khounthavong, and Johnny Khounthavong.

19 And they are charged with violations of Title 18,
20 United States Code, Section 371, conspiracy; Title 18, United
21 States Code, Section 1014, false statement to a
22 federally-insured financial institution; and 18, United States
23 Code, Section 2(b), causing an act to be done.

24 You will be hearing the opening statements of the
25 government and the defense counsel, and by counsel for the

1 defendants. These opening statements are what they think that
2 they can prove during the trial of this case. It is not
3 evidence. The evidence that you will consider if you become a
4 juror is the testimony that comes from the witnesses that are
5 called and those documents which are allowed during the matter.
6 These are just their matters which they think they can prove.
7 They may or may not be able to do that during the trial of the
8 case. So you're not to consider them evidence, but only to
9 know what kind of a case that you will be listening to if you
10 become a juror.

11 Government wish to make an opening statement?

12 MS. CARTER: Yes, Your Honor.

13 THE COURT: All right.

MS. CARTER: Hundreds of thousands of dollars in
mortgage debt. That's how much three brothers, Billy
Khounthavong, Benny Khounthavong, and Johnny Khounthavong,
avoided paying by telling two different sets of lies to two
different sets of banks. This case is about those brothers and
those lies. The defendants in this case are charged with the
crimes of conspiracy to make false statements and reports to
banks, and causing false statements and reports to be made to
banks.

23 In 2006, Billy Khounthavong, Benny Khounthavong, and
24 Johnny Khounthavong, the three defendants in this case, all
25 brothers, all deputies with the Los Angeles County Sheriff's

1 Department, bought a five-bedroom, four-bathroom,
2 4200-square-foot house in Chino, California, for \$750,000.

3 Defendants lived in that house for five years.

4 During that time, the house decreased in value until it was
5 worth less than \$500,000, but the defendants still had big
6 mortgages, about \$740,000 combined.

7 In 2011, they decided that they wanted to ditch those
8 mortgages, even though they had signed a contract to buy the
9 house, even though they had promised to pay back the money that
10 they had borrowed to buy the house, and even though they still
11 had jobs and could still afford to make their mortgage
12 payments.

13 They wanted to ditch those mortgages, but they still
14 wanted to live in a nice house. They figured out that if they
15 lied, they could do it. They could pay far less to live in a
16 different nice house. Like a lot of people probably, they
17 wanted the same lifestyle for less. But unlike most people,
18 they were willing to commit federal crimes to do it. They were
19 willing to lie, they conspired to lie, and they did lie to do
20 it.

21 To get a new mortgage for a new house in Corona,
22 California, they lied to Flagstar Bank on their loan
23 applications and on supporting documents. Once they got the
24 new house in Corona, they lied to dump their old house in
25 Chino. They lied to the mortgage holders on the Chino property

1 to get permission to sell the Chino property for less than they
2 owed on their mortgages so they wouldn't have to pay any more.

3 Ladies and gentlemen, my name is Maggie Carter, and
4 along with my co-counsel, Lawrence Middleton, it is our
5 privilege to represent the United States in this case.

6 During this trial, you are going to hear about the
7 conspiracy to lie to banks and the two sets of lies that these
8 defendants told to banks. The defendants bought the Chino
9 property together in 2006 for three quarters of a million
10 dollars. Almost every year after they bought that house, its
11 value went down. Defendants knew it. They got property tax
12 bills for years that showed it had gone down. As early as
13 2009, tax records showed that the Chino property was worth less
14 than \$500,000. It had declined even a little more by 2011, but
15 in 2011, defendants still owed nearly \$740,000 on their
16 mortgages.

17 So in April of 2011, Billy Khounthavong spoke to real
18 estate agent and mortgage broker Natalie Tran. Natalie Tran,
19 who was a co-conspirator with the defendants, will testify at
20 trial, pursuant to an immunity agreement, which means she can
21 not be prosecuted for her testimony. In their first
22 conversation, defendant Billy Khounthavong told Natalie Tran
23 that he wanted to buy a new house with his brothers because the
24 house that they already owned was underwater. It was
25 underwater, which you will learn means that it was worth less

1 than the mortgages that the defendants owed.

2 Defendants owed more money than their house was
3 worth, but they told Natalie Tran that they wanted to take on a
4 new mortgage to buy a new house. They were going to buy a new
5 house and walk away from their old one with their big
6 mortgages, a buy and a bail. And they were going to tell lies
7 to the banks to do it.

8 By June 2006 -- or by June 2011, they had found a
9 house to buy in Corona, California, and were ready to submit
10 applications to Flagstar Bank. Now, the new Corona house was
11 also a nice house. It was a five-bedroom, three-bathroom
12 house, that was 3900 square feet, and valued at over half a
13 million dollars.

14 To get this house, defendants, conspiring with each
15 other and Natalie Tran, lied to Flagstar Bank in their loan
16 applications. Initial applications were submitted in
17 June 2011, each one for each brother contained two lies.
18 Present market value of the Chino property was the first thing
19 that they lied about. They had to list it on a schedule of
20 real estate that they already owned. They said that their
21 Chino property was worth \$750,000, more than their mortgages,
22 but really it was worth much less.

23 Natalie Tran's office put the \$750,000 number in, not
24 based on any real estimate of the Chino property's present
25 market value, but by adding a little bit to the amount that the

1 Khounthavong brothers owed on their mortgages to make it look
2 like the Chino property was not underwater, to make it look
3 even. They put the number in knowing that it was false. They
4 sent the applications to the defendants for signature and
5 submitted to Flagstar Bank on behalf of the defendants.

6 The defendants also knew that the \$750,000 number was
7 false. Defendants had received property tax bills in 2009,
8 2010, and 2011, all showing that the house in Chino was worth
9 less than \$500,000, and defendant Billy Khounthavong had said
10 it was underwater in his first conversation with Natalie Tran.
11 And just a few weeks later, all three defendants would agree to
12 list the Chino property for a short sale for only \$400,000.

13 The second lie was on Billy and Benny Khounthavong's
14 loan applications. The applications required each defendant to
15 state whether or not they were parties to any lawsuits. Billy
16 and Benny Khounthavong lied and checked "No" in response to
17 that question. In fact, Billy and Benny Khounthavong were
18 parties to a lawsuit. They were defendants in a civil lawsuit
19 brought by a man named Michael Grubbs.

20 They had been sued in the spring of 2011, before they
21 submitted their first loan applications to Flagstar, and the
22 Grubbs lawsuit was still pending throughout the whole rest of
23 2011, all the way in to 2012.

24 Now, once Flagstar Bank got these initial June 2011
25 loan applications, each with the two lies, Flagstar had some

1 questions about the Chino property. Flagstar wanted to know
2 why the Khounthavongs were buying the new house in Corona if
3 they already owned a house in Chino, and defendant submitted
4 two letters of explanation in July 2011 telling Flagstar a
5 false story about what was going to happen with the two houses.
6 You will see them both during the trial.

7 This is the second one which is more detailed. It's
8 got a fax date at the top of July 12, 2011, and a typewritten
9 date of July 11, 2011. It states that Billy Khounthavong was
10 going to stay behind at the Chino property with his new
11 fiancee. This is Billy Khounthavong, the defendant who first
12 told Natalie Tran that the defendants wanted to buy a new
13 property because their Chino house was underwater. Now this
14 letter to Flagstar Bank states that he's going to be the one
15 who stays behind in that Chino house.

16 The letter also said that the purchase of a new home
17 will not create a financial hardship. We understand the
18 liability that is required to maintain them in good standing.

19 This document was sent to all three Khounthavong
20 brothers by email, by Natalie Tran's office, and then Natalie
21 Tran's -- it was returned to Natalie Tran's office and -- which
22 sent it electronically to Flagstar Bank.

23 All three defendants knew about this letter because
24 all three received it by email from Natalie Tran. Natalie Tran
25 sent it to them, told them to feel free to revise, and to sign

1 it and return it to her. The defendants didn't make any
2 changes.

3 This false story about what would happen to the
4 properties was submitted to Flagstar. Defendants knew that the
5 story was false. By the dates on this letter, defendants knew
6 that the Chino property was underwater, and they didn't want to
7 keep paying those mortgages. Defendants had absolutely no
8 intention of paying mortgages on two different houses.

9 Billy Khounthavong had no intention of staying behind
10 at the Chino property. He had already talked to Natalie Tran
11 about stopping his mortgage payments on the Chino property. He
12 had already talked with Natalie Tran about doing a short sale
13 of the Chino property.

14 You will also learn what happened right after the
15 dates on this letter. Within a week, Natalie Tran had already
16 found another real estate agent to list the Chino property for
17 a short sale to keep her name off of the short sale deal.
18 Within a week, Natalie Tran's office was already negotiating a
19 listing contract with that other real estate agent to list the
20 Chino property for only \$400,000, way less than the present
21 market value listed on their Flagstar loan applications.

22 Within a week, one of the defendants was taking
23 listing photos of the Chino property to sell it. Right around
24 that same time, within a week of this document, was the final
25 document signing for the purchase of the Corona property,

1 July 18, 2011.

2 On that date, defendant signed another set of loan
3 applications, another set of false statements to Flagstar Bank.
4 Defendant signed this final set in the presence of a notary.
5 All three defendants were present, along with Natalie Tran, and
6 all three defendants signed the applications.

7 The final set of loan applications contained -- also
8 contained lies about the present market value of the Chino
9 property. Benny Khounthavong's final application contained the
10 same lie as his first application. It stated that the present
11 market value was \$750,000, and that the property was not
12 underwater.

13 Billy Khounthavong's and Johnny Khounthavong's
14 applications also contained a lie, a false report about the
15 present market value of the real estate they already owned
16 because they didn't list the Chino property at all. The truth
17 would have been that they owned it, they owed \$740,000 on it,
18 approximately, and that it was underwater.

19 The final applications for Billy Khounthavong and
20 Benny Khounthavong also contained the same false statements
21 that they weren't involved in any lawsuits. A few days after
22 these final loan applications were signed, the purchase of the
23 Corona property became final.

24 Defendants contributed over \$27,000 towards the
25 purchase, and the rest of the money came in because Flagstar

1 Bank gave them the loan that they had applied for.

2 As soon as the purchase of the Corona house was
3 finalized on July 22nd, defendants stopped making payments on
4 the Chino property. They never made another payment. Once the
5 purchase of the Corona property was finalized, the three
6 defendants in this case told a new set of lies to the mortgage
7 holders on the house that they already owned so that they could
8 do a short sale of that Chino property.

9 A short sale, you will learn, requires the permission
10 of the banks who held those mortgage loans. With a short sale,
11 the defendants could sell the Chino property for less than they
12 owed on it, and they would no longer have to pay their
13 mortgages. There were two mortgages on the Chino property.
14 Defendants needed both lenders to approve the short sale. To
15 get approval for the short sale, the defendants told more lies
16 to the mortgage holders. They submitted a false hardship
17 letter, and they made a false report regarding their bank
18 statements.

19 You will learn that defendants were required to
20 submit a hardship letter for the Chino mortgage holders to
21 approve the short sale. The defendants didn't just get to do a
22 short sale just because their property value went down, they
23 were obligated to pay those mortgages, and to get approval,
24 they had to explain why they lacked the financial resources to
25 continue paying the mortgages. The explanation that they gave,

1 that hardship letter, was a lie.

2 You will see the hardship letter with a fax date on
3 the top of August 6, 2011, dates next to the signatures of
4 August 5th, 2011, just a couple of weeks after their letters of
5 explanation to Flagstar. The hardship letter was written in
6 the voice of defendant Billy Khounthavong and signed in the
7 names of all three defendants.

8 "I am writing this letter to explain my hardship and
9 request a short sale. My two brothers, Benny and Johnny, moved
10 out on their own due to financial conflict. I am barely
11 getting by with my income to pay for these expenses on my own.
12 I have exhausted all of my income and resources."

13 Defendants told a totally different false story than
14 the one that they told to Flagstar Bank. Natalie Tran drafted
15 this hardship letter for the defendants knowing that it was
16 false. She emailed it to all three defendants for a revision
17 on August 2nd, well before it was submitted to the short sale
18 lenders, but no revisions were made. It was submitted to
19 support the application for the short sale. Defendants knew
20 that the hardship letter was false when they received it from
21 Natalie Tran.

22 Just a few weeks before, they had told a totally
23 different false story to Flagstar. They had told Flagstar it
24 would not be a hardship to buy another house and have another
25 mortgage, and they had demonstrated to Flagstar that they had

1 sufficient income to pay both mortgages. Defendants didn't
2 have a financial conflict, they just bought a house together
3 and were working together to do the short sale of the Chino
4 property, and the defendants still had money, they just weren't
5 disclosing it.

6 That was the second lie that they told the short sale
7 lenders, hiding their money from the short sale lenders, making
8 a false report about their bank statements. Because it wasn't
9 enough just to write a hardship letter claiming a hardship, the
10 short sale lenders also asked defendants to submit supporting
11 documents, including bank statements, but defendants did not
12 submit complete bank statements. They submitted a false and
13 misleading report instead. Instead, they hid their money from
14 the short sale lenders.

15 The defendants all opened new bank accounts at Chase
16 Bank the day of and the day after the purchase of the Corona
17 property was final. Each one of them did this. Just days
18 after that, they all moved their direct deposit of their
19 paycheck from their old Bank of America accounts to their new
20 Chase accounts. That's their income, ladies and gentlemen,
21 their salary, their paycheck, and they moved it, each one of
22 them, to their new Chase account just days before Natalie Tran
23 emailed them this hardship letter.

24 Then, ladies and gentlemen, they drained their old
25 Bank of America accounts down to nearly zero, and they only

1 told the short sale lenders about the Bank of America accounts.

2 When they had to report bank statements for July,
3 August, and September 2011, defendants only sent in Bank of
4 America bank statements, not the statements from their new
5 Chase accounts. They didn't even report statements from an old
6 Chase account that they held together jointly, even though they
7 were using that account to pay for their new mortgage on the
8 Corona property.

9 You will see during this trial that their money was
10 in the Chase accounts. They moved almost all their money to
11 the Chase accounts, and they didn't report any statements from
12 those accounts.

13 Ladies and gentlemen, this is what defendants' bank
14 accounts looked like in July, August, and September, 2011. On
15 the left, you see the old Bank of America bank accounts. Those
16 are the bank balances for those three months. There's hardly
17 any money in those accounts, and that's the total of all their
18 Bank of America accounts added together.

19 In the middle you'll see their new Chase accounts, as
20 well as their old joint Chase account, none of which were
21 disclosed. There was over \$10,000 not disclosed in August and
22 September. Over \$10,000 in the combined Chase accounts, hardly
23 any money in the Bank of America accounts. And their total
24 bank account picture is on the right, the grand total. That
25 was their total picture, but that is not the picture that they

1 reported to the short sale lenders.

2 The defendants knew that they were making a false
3 report by only reporting the Bank of America accounts. They
4 opened those new Chase accounts right before they started the
5 short sale process. They moved their direct deposit of their
6 paychecks right before they started the short sale process.
7 They drained those Bank of America accounts down to almost
8 nothing.

9 All of this evidence will show beyond a reasonable
10 doubt that the defendants knew they were submitting and causing
11 to be submitted two different sets of lies to two different
12 sets of banks, and they were working together to do so. Lies
13 to Flagstar Bank to buy a new house; lies to the short sale
14 lenders to bail out of their old one. They kept their
15 lifestyle, they ditched their mortgages, and they did it
16 through lies.

17 Based on their two sets of lies, these defendants are
18 charged with conspiracy to submit false statements and reports
19 to banks, and with causing false statements and reports to be
20 submitted to banks.

21 At the close of all the evidence in this case,
22 Mr. Middleton and I will have the opportunity to speak to you
23 again, and at that time, we will ask you to return the only
24 verdict consistent with the evidence that you have heard in
25 this case, a verdict of guilty on all counts in the indictment.

1 THE COURT: Defendant Billy Khounthavong.

2 MR. CANTALUPO: Good morning, ladies and gentlemen.

3 My name is Dominic Cantalupo. I represent Mr. Billy
4 Khounthavong, who is sitting on the end over there.

5 There are no lies, there are no deceptions, there's
6 nothing criminal about this case. What I expect the evidence
7 to show you is that a family of the brothers who are on trial
8 here, as well as some of the other members of their family,
9 purchased the home in 2006 to live together. They obtained a
10 mortgage for that property and they paid that mortgage.

11 At some time around 2011, the evidence will show that
12 two of the brothers, Benny and Johnny, decided they wanted to
13 move out on their own for reasons I expect this trial to show
14 you, that Mr. Billy Khounthavong was about to be married, and
15 wanted to live in the house and have some privacy.

16 Two brothers decided they wanted to buy a new house;
17 Mr. Billy Khounthavong decided he wanted to stay at the house.
18 Unfortunately, as I'm sure you're all aware, the economy was
19 rough around that time. Mortgages basically caused the economy
20 to tank, property values sank, and in order for Mr. Billy
21 Khounthavong to stay at the house, the evidence will show he
22 tried to obtain a loan modification. He was having trouble
23 having that loan modification.

24 But throughout the process, the evidence will show
25 that all the brothers relied on Natalie Tran, relied on real

1 estate professionals to guide them. None of them had any
2 experience. As you heard, they are sheriffs for L.A. County,
3 they don't know anything about real estate. Natalie Tran is
4 the one who prepared all the documents. She is the one who
5 determined what value to put down on the loan application for
6 the Chino property. She is the one who gathered all of the
7 information from Billy and his brothers and put all that
8 information on the loan applications.

9 And I expect the evidence will show, and I expect
10 Ms. Tran to tell you she did it because she wanted to earn her
11 commission. She didn't have any regard for the brothers'
12 rights or the brothers' safety in this case, and I say safety
13 because now they're charged as criminals, that is not the case.

14 She drafted the letters of explanation, and they are
15 not false. At the time the letters were drafted, I expect the
16 evidence to show Mr. Billy Khounthavong intended to stay in the
17 Chino house while his two brothers left to move to another
18 property. I expect the evidence to show that the Chino
19 property was a property that was very important to Mr. Billy
20 Khounthavong. He had emotional attachment to it. He had made
21 improvements to it. He didn't want to lose that property, but
22 he needed assistance from the bank in order to keep the
23 property. Those letters of explanation are true and correct
24 statements of his intention at the time he signed them.

25 As time progressed, and the next new property in

1 Corona was located, Mr. Billy Khounthavong had some
2 conversations with Natalie Tran about how he can go about
3 affording, and continuing to afford, the mortgage now that his
4 brothers were moving. He needed a loan modification. He asked
5 questions about her. He explored different types of options
6 that were available to him; foreclosure, short sale, terms that
7 he was pretty unfamiliar about, but relied on Natalie Tran to
8 explain to him these different concepts and the different
9 consequences from these transactions.

10 At some point in time, Mr. Billy Khounthavong was
11 frustrated that Bank of America wasn't providing him with the
12 assistance he needed to modify the loan obligation, to modify
13 the mortgage obligation. He was also impressed with the speed
14 at which the Corona property was progressing as far as
15 approvals from the bank and the closing.

16 And at some point in time, after he signed those
17 letters of explanation, he changed his plans, and changing
18 plans is not criminal, but he changed his plans and asked
19 Natalie Tran for assistance on how he could get rid of or sell
20 the Chino property, rather than have it be foreclosed.

21 She guided him through the process. She created the
22 letter of hardship, which at the time it was signed in August,
23 I believe it was August 5th, 2011, was true. He changed his
24 mind. He no longer wanted to stay. He believed that Bank of
25 America was not going to provide him any assistance in reducing

1 his mortgage payments, and he decided that he would move in
2 with his brothers in the new property until he figured out what
3 to do next. The letter of hardship was true.

4 During the whole process, I expect the evidence to
5 show you that Natalie Tran and her staff asked for various
6 documents, asked for bank statements, asked for tax returns,
7 asked for paycheck stubs, and Billy, along with his brothers,
8 provided all of those documents. It was Natalie who created
9 these statements, these loan applications, and if bank accounts
10 were missing from those statements, if property was not
11 disclosed in those statements, it was Natalie Tran who didn't
12 disclose it.

13 You're going to hear testimony about the closing on
14 July 18th or 19th of 2011, at which time more than 100 pages of
15 documents were presented to Billy and his brothers for their
16 signature. And now is not the time for me to argue, and I'll
17 have another opportunity at the end of the trial, but I'll ask
18 you to use your common sense as you evaluate the evidence.
19 When you purchase homes, when you purchase cars, and things
20 that require a lot of signatures, I'm sure you all find you
21 don't always read every single word.

22 Anyway, the evidence is going to show that the
23 brothers were presented with these documents where they needed
24 to sign and initial, and have their signatures notarized, and
25 they did that. That's the closing on July 18th of 2011.

1 There was no intent by Billy or his brothers to fail
2 to disclose any information on those forms that they signed.
3 You heard the prosecutor talk about a lawsuit. I expect the
4 evidence is going to show you that that was a lawsuit in which
5 the County of Los Angeles was named as the lead defendant in
6 that case. And when Billy and Benny checked no, that was a
7 proper answer for them to check no, they were not a party to a
8 lawsuit. That's what I expect the evidence to show you.

9 You heard about the government talking about bank
10 accounts being switched from Bank of America to Chase, and
11 again, I'm going to ask you, as we -- as you sit through the
12 trial, view the evidence with your common sense. Bank of
13 America is not working with Billy and his brothers to modify
14 the loan -- the mortgage. At some point in time, we've all
15 decided we no longer want to deal with a certain business or
16 another, and that's exactly what Billy and his brothers did,
17 they decided they no longer wanted to bank with Bank of
18 America, they switched their accounts, but nothing in terms of
19 their income changed.

20 They were sheriffs, receiving their deposits,
21 receiving their paychecks, and I expect the evidence to show
22 that their salaries were being directly deposited, and those
23 direct deposits, the evidence will show, switched from Bank of
24 America to Chase. There's no hiding of money; there's no
25 hiding of any assets.

1 THE COURT: Don't argue the case, Counsel.

2 MR. CANTALUPO: And this is a case about -- and I
3 expect the evidence to show -- about wanting to take care of
4 financial affairs properly, about not wanting to walk away from
5 a house, about wanting to buy a new house, and to accurately
6 and correctly present their financial condition.

7 At the end of the case, I'll have a chance to argue
8 to you what the evidence means, but as you sit through it,
9 first be aware of the witness's perspective. The government
10 told you Natalie Tran is a witness who has immunity from
11 prosecution. She has a vested interest to lie.

12 THE COURT: Don't argue the matter, Counsel.

13 MR. CANTALUPO: And receive the evidence with common
14 sense. Receive it with what you understand how these
15 transactions work, and how individuals rely on real estate
16 professionals to guide them. And at the end of the case, I am
17 confident that you're going to return a verdict of not guilty.
18 Thank you.

19 THE COURT: Defendant Benny Khounthavong.

20 MR. BRAUN: Good morning, ladies and gentlemen. My
21 name is Adam Braun, I represent Benny Khounthavong, who is
22 present at counsel table.

23 Just a little background, before we get started, we
24 expect the evidence will show Benny and his two brothers are
25 from an immigrant family. Their parents came from Thailand in

1 1980, and they made their parents proud, becoming cops with the
2 Los Angeles County Sheriff's Department. Benny married his
3 long-time girlfriend, and three months ago had a son,
4 Christopher.

5 It's a close-knit, immigrant family who help each
6 other out. And like a lot of immigrant families, to make ends
7 meet, they'll initially share a home together, and they made
8 their parents proud buying that first home together.

9 I want to focus on two things this morning about what
10 I expect the evidence to show and things that the prosecutor
11 neglected to mention in her opening statement.

12 First, as Billy Khounthavong's lawyer alluded to, at
13 any loan closing --

14 THE COURT: Don't argue the case, Counsel. You're
15 going to present.

16 MR. BRAUN: Sure.

17 At the loan closing, there were 160 pages of
18 documents, and a large number of those pages required initials
19 and signatures on them. The evidence will show those
20 applications were a mess, there were dozens and dozens of
21 errors. And the government's cherry picked or focused on a
22 couple errors today, but there were a number of other errors
23 which the government has not mentioned, and those errors were
24 the sorts of errors that, if anything, would have hurt the
25 chance of the mortgage application being approved.

1 There were the wrong work addresses for Benny and
2 Johnny Khounthavong, listing the wrong sheriff's department,
3 the wrong work phone numbers for them. There were credit card
4 numbers in credit card debt listed for Benny Khounthavong on
5 his application even though it was a debt of another brother.
6 There were bank accounts that had assets in them, meaning had a
7 balance, a positive balance of several thousand dollars or more
8 that was left off all three of the mortgage applications which,
9 if anything, would have helped get that application approved.

10 What this points to -- and as the evidence will show
11 at trial -- the operation that Natalie Tran ran at her office,
12 both in terms of real estate advice as a real estate agent, and
13 acting as a loan broker, that it was an incompetent operation.

14 Now, those mistakes the brothers didn't put down,
15 their evidence will show the wrong work address. They knew
16 where they worked. And Benny knew he didn't work at the
17 station that Billy worked at, and Johnny knew he didn't work at
18 the station that Billy worked at. Benny knew which credit card
19 numbers he had and what debt he had, and he knew that the
20 particular credit cards belonged to one of his other brothers.

21 There wasn't fraudulent intent. There's a difference
22 between -- we're not here about mistakes and errors in the
23 application, and you're going to see dozens of them because
24 we're going to show them to you. The prosecutor is going to
25 try to focus on a couple errors --

1 THE COURT: Don't argue the case, Counsel.

2 MR. BRAUN: -- and we're going to focus on a lot of
3 the errors, and we're going to show you the errors that are
4 there.

5 You know, there's -- and the applications in --
6 there's two sets of mortgage applications for the purchase of
7 the Corona home; there's the Flagstar Bank application
8 submitted in June, and then Flagstar application submitted in
9 July to the same bank, to the same processors.

10 The applications in July, while in one section you'll
11 see do not list the real estate in Chino, in that same very
12 application, even though the brothers, Johnny and Billy, are
13 charged with concealing their ownership and debt on the Chino
14 property, that same July application lists, What is your
15 address? The Chino home's listed there. Do you own it? Both
16 Johnny and Billy checked yes, they own it, even though they're
17 charged with concealing from Flagstar in the July application
18 their ownership of that home. And they also list in the
19 section on what debt they have, the mortgage that they have,
20 the full mortgage for that Chino home.

21 So those are the kinds of -- that's the kind of
22 information that's in those applications. And maybe it wasn't
23 in the right section of the application, but you'll see it's in
24 the application.

25 Now, the prosecutor mentioned that there's a section

1 in one of the applications where --

2 THE COURT: No. What you're going to present, not
3 what the --

4 MR. BRAUN: I'm just referencing what we're going to
5 present.

6 THE COURT: No. The prosecutor.

7 Don't argue the case.

8 MR. BRAUN: The application will say, Are you a party
9 to a lawsuit? And the brothers checked no. We'll show you at
10 trial it was a reasonable approach, why they did it, and we'll
11 explain it to you. We'll show you the rationale and the
12 documents they relied on.

13 The evidence will -- the other points. So there's --
14 the applications have numerous errors, most of which would have
15 hurt the application's chance of getting approved. What it
16 shows you from a big picture standpoint, that these errors that
17 were in there, they were a product of lack of attention to
18 detail by Natalie Tran's office; and that they're mistakes, not
19 criminal intent.

20 The second issue is, you will see a -- you're going
21 to see a witness in the trial called by the government. There
22 will be a criminal that will appear in this courtroom and a
23 liar, and it's the government's witness, Natalie Tran. It's
24 their star witness. She is the only witness you'll see, and
25 the evidence will show she's the only witness that will have

1 been present for any of the critical conversations in this
2 case.

3 So that liar, that criminal, they've indicated she is
4 a co-conspirator in the crime, will be the only uncorroborated
5 witness to the critical statements in this case. She's lied
6 over and over and over --

7 THE COURT: Don't argue the case, Counsel.

8 MR. BRAUN: The evidence will show she misrepresented
9 on numerous occasions her role and involvement in the case.

10 The evidence will show she lied and claimed she was
11 not involved in the short sale of the Chino home when she got
12 70 percent of the commission, and she used a straw listing
13 agent to list it.

14 The evidence will show she lied repeatedly to the
15 agents in this case, claiming she wasn't present at the loan
16 closing at a Denny's, when the loan was being completed and the
17 paperwork signed for that Corona home.

18 The evidence will show only a year and a half into
19 that lie, claiming she wasn't there, her husband wasn't there,
20 at that loan closing. Only -- the evidence will show only
21 after the defense got cell phone records proving her cell phone
22 traveled from Orange County up to the location, an hour or so
23 drive up to the location of the Denny's, did she, in the recent
24 months, on the eve of trial, miraculously change her story
25 again.

1 The evidence will show she committed numerous
2 felonies in these loan applications and in that short sale.
3 She double-dipped the evidence will show. She improperly and
4 illegally served as both the real estate agent and a loan
5 broker on the same application. So she got, the evidence will
6 show, a \$12,000 commission on the purchase of the Corona home,
7 and an \$18,000 commission on the approval of that Flagstar
8 loan. And to do it she committed felonies. She whited out
9 her --

10 THE COURT: Counsel, don't argue the case.

11 MR. BRAUN: The evidence will show she whited out the
12 signature line for the mortgage broker, and had an employee
13 write his name in as if he was the loan broker.

14 The evidence will also show that she is the one, on
15 her own, with her staff members, that came up with and listed
16 that \$750,000 figure that we've discussed this morning.

17 She also, the evidence will show, arranged for a real
18 estate agent to serve as a straw, or phony, listing agent on
19 the short sale. She wanted the commission on that short sale.
20 That the sale of a home, real estate agents get a percentage,
21 as we all know, from the sale of a home, and she wanted that
22 commission, too. So she got her 12,000 and her 18,000 on
23 Corona. She legally could not have obtained both without
24 fraud, but she got both of those, and she represented to the
25 brothers that she would be handling their short sale when it

1 came to that point.

2 But what she did secretly is she found another real
3 estate agent, the evidence will show, to list that home.

4 Pretended like she was the real estate --

5 THE COURT: Don't argue the case.

6 Ms. Tran is not on trial here, ladies and gentlemen
7 of the jury. If she is a witness in the case, you will make
8 the determination as to her testimony in this case from what
9 you hear from that witness.

10 MR. BRAUN: The evidence will show that Ms. Tran
11 reached out, got a listing agent to be a placeholder, and
12 pretend like she was the listing agent. The evidence will show
13 Ms. Tran handled all the paperwork for that short sale on the
14 Corona home, interacting with the escrow agents, interacting
15 with her customers, the Khounthavong brothers, obtaining all
16 their information, not that listing agent, but Ms. Tran. And
17 then at the end of the day, she got 70 percent of the
18 commission on the Corona home.

19 And the evidence will show, despite the criminal
20 conduct both in the purchase of the Corona home that Natalie
21 Tran did, and her felonies in the sale of the Corona home --
22 sorry -- the Chino home later, and despite each time she lied
23 about her involvement in those to federal agents, which is
24 itself a crime, that nothing's happened to her, she's gotten
25 immunity.

1 So I ask, as you review the evidence, to again keep
2 those two things in mind. Remember the broader context, the
3 numerous errors that will demonstrate that are in the
4 applications that had nothing to do with getting a loan
5 approved; if anything, would have hurt the loan getting
6 approved.

7 And secondly, to keep in mind that the only person
8 that will be a witness to and present for any of the critical
9 conversations is Natalie Tran, and the undisputed evidence will
10 be, again, that she committed numerous felonies, and has lied
11 to the agents throughout this case.

12 So at the end of the case, I'll return to you, and
13 I'll ask that you return the only verdict consistent with
14 justice, and the only verdict consistent with the evidence, not
15 guilty on all charges. Thank you.

16 THE COURT: Defendant Johnny Khounthavong.

17 MR. DIAZ: Thank you, Your Honor.

18 Good morning.

19 You are not going to hear any evidence of a
20 conspiracy by both these three brothers here, none. And you
21 are not going to hear any evidence that any one of them lied
22 because there's no evidence that they ever intended to defraud
23 any bank, or that they knowingly made any false statements.

24 There is evidence of a family -- and I also have the
25 privilege of representing Johnny Khounthavong. He is the

1 oldest of the three brothers, all peace officers, as of now,
2 they're all sheriff deputies, and the evidence is going to show
3 that those three gentlemen here were living as a family --
4 they've been living as a family their entire lives, helping
5 each other, as the letter that you just saw indicated, and
6 doing things slightly unusual because of their background, but
7 not in an illegal manner, because there's no conspiracy here.

8 I don't want to repeat myself too much because you
9 already heard that there are two purchases at issue here
10 essentially. We have a purchase in 2006 for a house in Chino,
11 and in 2011 for a house in Corona, both are at stake. Neither
12 one has anything to do with a conspiracy or fraud, they're both
13 related to family.

14 The first house, the Chino house, was a brand-new
15 home in what's called the Inland Empire in Chino. Very
16 good-size, nice home. As Ms. Carter said, it's a nice home.
17 And it was the first family home, the first that the family had
18 purchased together, and it was purchased for those three
19 brothers to live there together with their parents and
20 everybody else. Again, not as a conspiracy, living as a
21 family.

22 The evidence is going to show, as you already saw
23 some of the letters that were posted, that these three brothers
24 are unusually tight, there's unusually tight arrangements about
25 them. They made or they're doing some things that's slightly

1 unusual, like having joint bank accounts. They are all living
2 together with the parents, they're in the mid 30s. Again, from
3 Thailand, Laos, immigrants coming in.

4 Johnny Khounthavong came to this country when he was
5 two; the twins were born in this country. And like I said,
6 they were all, back in 2006, they were already all law
7 enforcement. I believe Benny was not with the sheriffs yet,
8 but Ms. Carter may be correct, I may be mistaken about that,
9 but they were all law enforcement.

10 Between the purchase of the Chino house in 2011, a
11 number of things had happened: One of them, you're going to
12 see, is that they purchased this house and they spent money to
13 make it nice, livable and to their style. They spent money to
14 make it theirs.

15 Something else had happened that had really nothing
16 to do with them, it just had to do with where we're living. You
17 know, somewhere around 2000 -- maybe -- 8 there was a real
18 estate crash and things were just not the same as far as the
19 real estate world is concerned, and their loan was not the best
20 loan available to them. They were paying plenty of money, and
21 mostly all interest. And, as Ms. Carter mentioned, in 2011, it
22 is no surprise that they owe to the bank as much as they had
23 originally borrowed.

24 The brother says, you know, This is not a good loan.
25 They tried to approach Bank of America, says, Can you work with

1 us? And, not surprisingly, Bank of America did not work. The
2 evidence is going to show that if you do what you are supposed
3 to do, and you keep paying your mortgage, the bank has a
4 tendency not to work with you. In fact, I think the evidence
5 is going to show that not only did they not work with the
6 brothers, but sometime in 2011, there was a \$700 increase on
7 their mortgage.

8 But, you know, they're people, three men, young men
9 in their 30s, still young, and the family dynamics were
10 changing. They were all residing with the parents, all the
11 extended family. And it got to the point in which Billy, who
12 had been in a serious relationship for a while, he was
13 contemplating getting married, and the family -- and it was
14 essentially the family who decided, you know, we need another
15 place also for us.

16 The idea was rather simple: The idea was brothers,
17 Johnny and Benny, needed a place because brother Billy was
18 going to get married, and it's only reasonable to give him a
19 little more privacy and what have you, and they decided then to
20 look for another house. But 2011 was not 2008, but the real
21 estate market was still in turmoil, and it was brother Billy
22 who says, I'm going to try to see if I can keep this house. If
23 Bank of America works with me, I may be able to keep this
24 house.

25 And they looked at properties. They found this

1 person, they just happened to find a real estate broker, the
2 lady that has been mentioned a number of times, Natalie Tran,
3 and they looked around, they looked at some properties, and
4 they find a place in Corona, another, you could call it, a nice
5 home. It's a house that is a good size, it's not brand new,
6 but it's good. And the process to buy this house, you know,
7 takes place fast. Ms. Tran is efficient in getting this done.

8 And they did something that everybody would do when
9 you apply for a loan to a house, you tell the bank, or the
10 prospective bank, I would like to purchase a house. These are
11 my obligations. I think I can make -- I can take these
12 obligations, and provided that information to the bank.
13 Nothing it was there -- that was wrong or incorrect, and the
14 bank says, Yes, you can -- we can lend you money to buy a
15 house.

16 As both Mr. Cantalupo and Mr. Braun mentioned, you
17 are going to see a lot of mistakes on this application. I mean
18 really, really a lot, but you are not going to see an intent to
19 defraud. The applications were prepared or handled to Natalie
20 Tran, who was also the person who drafted the letter of
21 explanation that had been requested by the bank, which was
22 Flagstar. The evidence is going to show the brothers simply
23 followed the advice of this person.

24 When the Corona purchase was coming, and it was
25 already going to be done, then Billy says, you know, Bank of

1 America is really not working with me, and that's why you see
2 then the hardship letters. He was going to stay in the loan,
3 and Bank of America is not working with him, and then he says
4 you know, I cannot pay for this house on my own, and he did
5 what was suggested by Natalie Tran, which is, you know, do a
6 short sale.

7 And the evidence is going to show that there's
8 absolutely nothing illegal about a short sale. In fact, it is
9 a way by which -- and this case will show, the brothers worked
10 with the bank. They did not just stop making payments and
11 living there, and take any improper advantage of anybody. They
12 followed the advice of professionals, and they never hid
13 anything, because they never had anything to hide.

14 We're going to hear the testimony of Natalie Tran.
15 I'm not really sure what she is going to come and tell you.
16 But the last time she met with all of these three people here,
17 in the company of her lawyer, the evidence is going to show she
18 told the prosecutors and the federal agent the following: She
19 said, I picked the \$750,000 figure for the house because I
20 figured that was the best figure I could put in there. She
21 said, I prepared a letter of explanation. She says, I prepared
22 the letter of hardship.

23 She never said the brothers tried to hide something.
24 She never said, I conspired with the brothers to hide
25 something. She never said, The brothers and I did anything

1 illegal at all. In fact, she said the 750- figure, it was
2 something that did not in any way affect the loan, it had no
3 relevance.

4 And at the end of the day, you're going to be
5 convinced after you hear all of the evidence that there was
6 absolutely no conspiracy, no conspiracy by the brothers among
7 themselves, and no conspiracy by the brothers with Natalie
8 Tran, because they never committed any fraud, they never lied.
9 At the end of the case, I will be asking you to return a
10 verdict of not guilty for all the brothers, for all the counts,
11 because they are not guilty.

12 THE COURT: Fill the jury box.

13 THE CLERK: Rigoberto V, please step forward; Natasha
14 L; Scott M; Gabby A; Zoila R; Ramsin S; Joel M; Sheila G;
15 Debra B; Jesus T; Erin Z; and Catherine H.

16 THE COURT: Members of the jury, before we begin,
17 we'll take a short recess, and we ask you to remain in the
18 courtroom, if you will. We'll take a five-minute recess for
19 anything that has to happen, and you'll -- in the jury box, to
20 make any visits that you have to visit, to a restroom or
21 anything else. We'll take a five-minute recess.

22 (Recess)

23 THE COURT: All right. You heard what the charges
24 are in this case, and the defendants, each of them,
25 individually, are not on trial for any act or conduct not

1 alleged in the indictment. The indictment is only a formal
2 method of accusing a defendant of a crime; it is not evidence
3 of any kind against an accused, and does not create any
4 presumption or permit any inference of guilt.

5 If chosen as a juror, it will be your duty to try the
6 issues of fact presented by the allegations of the indictment
7 and the denial made by the plea of not guilty of each of the
8 defendants.

9 In performing that duty, you are the sole judge of
10 the facts. You must follow the law as I instruct you,
11 regardless of any opinion you may have as to what the law ought
12 to be.

13 Justice through trial by jury must always depend upon
14 the willingness of each individual juror to accept the law as I
15 instruct you, and to find the truth as to the facts upon
16 competent evidence admitted in the trial, and to arrive at a
17 verdict by applying the law as you are instructed to the facts
18 as you find them.

19 Is there any member of the jury who could not
20 conscientiously perform that duty?

21 We ask the members of the panel also to listen to the
22 statements and the questions that I put to the jurors, and as
23 we go along, make that determination if you are called to the
24 jury so that we can ask you questions about it.

25 Have any of you ever heard of this case?

1 As you've seen, the government is represented in this
2 case by Ms. Maggie Carter and Mr. Lawrence Middleton. They're
3 being assisted by Mr. Jason Dalton.

4 Any member of the jury who has any knowledge of these
5 persons, had any business or dealings with them?

6 And as you have, the defendants have all been
7 introduced to you and their counsel.

8 Any member of the jury who has any relationship to
9 any of the defendants or to their counsel in this matter?

10 Any member of the jury or member of a juror's family
11 who has ever been employed as a law enforcement officer of any
12 kind?

13 Yes, sir, Mr. M.

14 PROSPECTIVE JUROR: My uncle retired as a commander
15 from the Los Angeles Sheriff's Department.

16 THE COURT: Anything in that relationship and his
17 employment that you feel might affect your judgment either for
18 or against the government or for or against the defendants
19 here?

20 PROSPECTIVE JUROR: No.

21 THE COURT: Thank you.

22 Any member of the jury or member of a juror's family
23 who has any connection with the United States Attorney's
24 Office, either in this district or in any other district of the
25 United States? And there are 95 districts.

1 Is there any member of the jury who's ever been
2 called to testify in a criminal case?

3 If chosen as a juror, you cannot permit yourself to
4 be governed by sympathy, prejudice or public opinion. The
5 parties and the public expect that you will carefully and
6 impartially consider all of the evidence, follow the law as I
7 state it to you, and reach a just verdict, regardless of the
8 consequences.

9 Is there any member of the jury who could not
10 conscientiously perform that duty?

11 Any member of the jury who has any prejudice
12 generally against a person who is charged with the offenses
13 with which these defendants are charged?

14 If each of you were charged with these offenses, is
15 there any member of the jury who would not submit their guilt
16 or innocence to 12 jurors who are in the same frame of mind as
17 you are at this very moment?

18 Any juror who knows of any reason why you could not
19 sit as a fair and impartial juror in this matter?

20 RIGOBERTO V

21 BY THE COURT:

22 Q. Starting with Mr. V, if you will rise.

23 And you have a sheet of paper. Give us the
24 information on that sheet of paper.

25 A. Hello. My name is Rigoberto Vega --

1 Q. No, you -- just "V."

2 We have the initials, and we'll refer to all of you
3 a's the initial that you've been given with your first name.

4 A. I don't know what to say. V.

5 General area where I live: I live in Paramount,
6 California. I'm married. Occupation: I'm a maintenance.
7 I've been there for ten years. My wife, she works for L.A.
8 County. She is a LW40. She's been there for 12 years. No
9 education or -- and no graduations. Adult children living in
10 the house is one, 23.

11 I've been on a jury one time in Compton, California.
12 The case was a person was selling drugs.

13 I don't have any special magazine or newspaper
14 reading. Habits: Sports. I don't have any programs or
15 watching TV. Books: Bibles, Catholic Bibles.

16 I never been sued for anyone, and anyone, or being
17 sued by anyone.

18 NATASHA L

19 BY THE COURT:

20 Q. All right. Ms. L. Thank you.

21 A. My name is Natasha L. I live in Marina Del Rey. I'm
22 single. I'm a real estate agent. I've been licensed for seven
23 years. I have a B.A. in business admin. No children. I've
24 never done jury service. I read the *Wall Street Journal*. I
25 like to run, and enjoy sports as well. I don't want much TV.

1 I read fiction, and I've never sued anyone or been sued.

2 THE COURT: Thank you, ma'am.

3 **SCOTT M**

4 BY THE COURT:

5 Q. M. Mr. M.

6 A. My name is Scott M. I live in Castaic, California. I am
7 married. I'm an electrical cable splicer. Been doing that for
8 seven years. My wife stays at home, takes care of our kids.
9 I've done some college. No adult kids living at home. Never
10 been on a jury. Magazines: *Consumer Reports* and *Family*
11 *Handyman*. Hobbies: I like fixing our house and playing with
12 our kids. TV programs that I watch: Reality shows and shows
13 where you fix up your house, flip it. Kind of books I do like
14 to read: The Bible and nonfiction. I've never been sued, and
15 I've never sued anyone.

16 THE COURT: Thank you.

17 **GABBY A**

18 BY THE COURT:

19 Q. Ms. A.

20 A. Hi. My name is Gabby A. I live in Mission Hills,
21 California. I work at a traffic school. I have an A.A. in
22 biochemistry. I have three adult children, a 96-year-old
23 grandmother. My 60-something Asian diabetic mother, and my
24 70-something-year-old father.

25 I always get called to jury service, but I never

1 actually finished a trial. No magazines, outdoor hobbies, no
2 TV. I read anything that interests me, and I sued several
3 people when they crashed into me.

4 THE COURT: Thank you, ma'am.

5 **ZOILA R**

6 BY THE COURT:

7 Q. Ms. R.

8 A. My name is Zoila Romero. I live in 311 South. I'm
9 marriage. My occupation is physical therapist. Education:
10 College. It's my first time to be in jury duty. I don't read
11 magazines. My hobbies is martial art. I watch TV, channel 52.
12 I never sued.

13 THE COURT: Thank you.

14 **RAMSIN S**

15 BY THE COURT:

16 Q. Mr. S.

17 A. Hi. My name is Ramsin Shamoun. I live in La Verne,
18 California. I'm single. I work at a retirement home. I'm in
19 the process of going back to school.

20 Sorry. I'm like super nervous right now. Like my
21 heart is beating really fast right now.

22 Q. Just relax.

23 A. Sorry. All right.

24 I have no kids. Never done jury service. I don't
25 really read magazines. I like to bike, run, dance. I don't

1 really watch much TV. I don't read books, and I've never sued
2 anybody before.

3 THE COURT: Thank you.

4 **JOEL M**

5 BY THE COURT:

6 Q. Mr. M.

7 A. Hi. Joel M. Sorry. I live in Los Angeles. I am
8 married. My occupation is I'm a lecturer, which is a
9 nontenured faculty in Department of Geography at UCLA. I've
10 been doing that for two years. My wife is a well painting
11 conservator. She's been doing this for a dozen years.
12 Education level: Ph.D in geography. No adult children at
13 home.

14 I've served twice on a jury before. Once was a -- it
15 was a criminal vehicle case, and I actually don't remember what
16 the other one was. Neither of them went to -- neither of them
17 went the full distance.

18 Subscriptions: *New York Review of Books* and similar
19 types of journals, professional journals. I play one sport
20 which is cricket. No television. All my books are nonfiction
21 and professional related, and no suits.

22 THE COURT: Thank you.

23 **SHEILA G**

24 BY THE COURT:

25 Q. Ms. G.

1 A. Hi. My name is Sheila G. I live in Arcadia. I'm
2 married. I'm a retired teacher, and I also worked at the
3 Pasadena Humane Society. My husband has his own marketing
4 company. I have a college degree. I have no adult children
5 living at home. I've never served on jury service before.

6 Yeah, I like to read *People Magazine*, the *L.A. Times*,
7 *Star-News*. Hobbies: I like walking my dog, and I like
8 cooking. TV programs: I like to watch the news and comedies.
9 I like to read nonfiction and fiction books. And I've never
10 been sued, but I have sued some oil companies over the McColl
11 Dump a long time ago.

12 THE COURT: All right.

13 **DEBRA B**

14 BY THE COURT:

15 Q. Ms. B.

16 A. Debra B. I live in La Cañada. I'm married. I'm an
17 attorney and I have been for since 2003. My spouse is a
18 physician and a hospital administrator. My highest level of
19 education is a J.D. I have no adult children. I've not served
20 on a jury before.

21 My magazines would be *Condé Nast Traveler*, *Us Weekly*,
22 *Money Magazine*. Hobbies would be travel. TV programs: Also
23 reality shows, *Scandal*, *Grey's Anatomy*. I typically read
24 fiction. And I have not been sued, and I have not sued anyone
25 before.

JESUS T

2 BY THE COURT:

3 Q. Mr. D.

4 A. Hello. My name is Jesus T. I live in East L.A. Marital
5 status: I'm married for the last 12 years. Occupation is I'm
6 a delivery driver, truck driver. I've been there for about 15
7 years. My wife is a school psychologist for the L.A. Unified
8 School District. She's been there about ten years. Currently
9 I'm finishing up my degree in biomedical engineering. We have
10 no kids.

11 Never been selected for a jury. Magazines are
12 Popular Mechanics and like Psychology Today. Hobbies: Mostly
13 sports, basketball, golf. TV shows: Currently we're binging
14 on How To Get Away With Murder and Walking Dead. Kinds of
15 books: Mostly nonfiction, biographies. And I've never sued or
16 been sued.

17 THE COURT: Thank you, sir.

ERIN Z

19 BY THE COURT:

20 Q. Mrs. Z.

21 A. My name is Erin Z. I live in Glendale. I'm unmarried.

22 My occupation is a 3D character artist. I've been doing that
23 for about a year and a half now. I have a bachelor's degree in
24 game development. No children. I've never been on a jury
25 before.

1 I don't read any print magazines. As far as hobbies:
2 I'm an amateur paleo-reconstruction artist. I enjoy studying
3 the German language as well. I watch *The Daily Show*, that's
4 about it. I enjoy reading horror, science fiction. I've never
5 sued or been sued by anyone else.

6 THE COURT: Thank you, ma'am.

7 CATHERINE H

8 BY THE COURT:

9 Q. Ms. H.

10 A. Catherine H. I live in Los Angeles. Divorced. Attorney
11 for 25 years. J.D. education level. No adult children living
12 at home. I was on a criminal jury 20-plus years ago, a drug
13 charge. Magazine subscription is *USA Triathlon*. Hobbies are
14 I'm a triathlete. TV programs are professional sports and
15 *Downton Abbey*. Books, mainly nonfiction. And I sued someone
16 in small claims court over 20 years ago.

17 THE COURT: Thank you, ma'am.

18 Peremptory is with the government.

19 PROSPECTIVE JUROR NO. 9: Judge, I'm very sorry. I
20 just forgot to mention that for the past two-and-a-half years
21 I've been a real estate broker as well.

22 THE COURT: Thank you.

23 MS. CARTER: Your Honor, the government would like to
24 thank and excuse prospective juror No. 3.

25 THE COURT: Mr. M, thank you, sir.

1 THE CLERK: Can I have Mr. Charles M step forward and
2 fill that seat.

3 **CHARLES M**

4 BY THE COURT:

5 Q. And did you hear the statements and questions I put to the
6 other jurors?

7 A. Yes.

8 Q. And would your answers be any different than the jurors
9 now sitting in the jury box?

10 A. No.

11 Q. Would you give us the information on the sheet, please.

12 A. Charles M. Live in West Hills, California. I'm married.
13 I'm an estimator for a construction company for eight years
14 now. A little college education. I have two adult children
15 living at home.

16 I was on a jury in Ventura County for assault and
17 battery; they did not reach a verdict. Magazines: Dirt bike
18 magazines, off-road magazines, outdoor hobbies. TV programs:
19 *Criminal Minds*, stuff like that. Don't read too many books.
20 I've never sued anybody, and I've never been sued.

21 THE COURT: Thank you, sir.

22 Peremptory is with the defendants.

23 MR. DIAZ: One moment, Your Honor.

24 MR. CANTALUPO: Your Honor, the defendants would ask
25 the court to thank and excuse juror No. 5, Ms. R.

THE COURT: Ms. R, thank you, ma'am.

2 THE CLERK: Mr. Juan J, step forward and fill that
3 seat.

JUAN J

5 BY THE COURT:

6 Q. Mr. J, did you hear the statements and questions I put to
7 the other jurors?

8 A. Yes.

9 Q. Except as to those questions which must be answered
10 personally, would your answers be any different than the jurors
11 now sitting in the jury box?

12 A. No.

13 O. Gives us the information on the sheet, please.

14 A. Should I stand up?

15 Q. If you would, please.

16 A. My name is Juan J. General area where you live is
17 Van Nuys, California. Married. Occupation: I work as a
18 phlebotomist and as a nursing assistant. Education level is
19 GED. Other children living with me at home is one. I never
20 had a jury duty before.

21 Magazines and newspapers: None. Hobbies: None. TV
22 shows or programs: None. Books: None. Have you ever been
23 sued anyone or been sued? Yes, I was sued like a year ago.

24 THE COURT: All right.

25 Peremptory is with the government.

1 MS. CARTER: The government would ask the court to
2 thank and excuse prospective juror No. 9.

3 THE COURT: Ms. B, thank you, ma'am.

4 THE CLERK: Damaris M.

5 **DAMARIS M**

6 BY THE COURT:

7 Q. Ms. M, did you hear the statements and questions I put to
8 the other jurors?

9 A. I did.

10 Q. Except as to those questions which must be answered
11 personally, would your answers be any different than the jurors
12 now sitting in the jury box?

13 A. They would not.

14 Q. Would you give us the information on the sheet, please.

15 A. My name is Damaris M. I live in Calabasas. Marital
16 status is married. I'm an attorney and I've been doing that
17 for eight years. Educational label: J.D. No adult children
18 living at home, no kids. Never been jury service before.

19 Magazines: *The Economist*. Newspaper: *Wall Street*
20 *Journal*. Hobbies: Sports. TV programs: Anything that's on
21 TV. Books: Fiction. No lawsuits.

22 THE COURT: Thank you, ma'am.

23 Peremptory is with the defendants.

24 MR. DIAZ: Defense would like to thank and excuse
25 juror No. 1.

1 THE COURT: Mr. V, thank you.

2 THE CLERK: Ms. Leticia L.

3 LETICIA L

4 BY THE COURT:

5 Q. Ms. L, did you hear the statements and questions I put to
6 the other jurors?

7 A. I did, Your Honor.

8 Q. Except as to those questions which must be answered
9 personally, would your answers be any different than the jurors
10 now sitting in the jury box?

11 A. No.

12 Q. Would you give us the information on the sheet, please.

13 A. Yes. My name is Leticia L. I live in Phillips Ranch,
14 California. I am married. I've worked for the City of
15 Los Angeles and -- well, I work for the City of Los Angeles.
16 I've been there 26 years, and I'm a senior clerk typist. My
17 husband is safety officer, retired Army. Been there about six
18 years. He served in the Army 24 years. I have a marriage and
19 family therapist background. And I have two adult children
20 living at home, and I've done jury service before.

21 I read beauty magazines and some newspapers. Very
22 little time for hobbies. And I like to watch reality shows,
23 and just read nonfiction. And I've never been sued or sued
24 anyone before.

25 THE COURT: Thank you, ma'am.

1 Peremptory is with the defendants.

2 MR. BRAUN: Your Honor, the defense would like to
3 thank and excuse juror No. 9.

4 THE COURT: Ms. M, thank you.

5 THE CLERK: Digna H.

6 **DIGNA H**

7 BY THE COURT:

8 Q. Ms. H, did you hear the statements and questions I put to
9 the other jurors?

10 A. Yes, I did.

11 Q. Except as to those questions which must be answered
12 personally, would your answers be any different than the jurors
13 now sitting in the jury box?

14 A. No.

15 Q. Would you give us the information on the sheet, please.

16 A. My name is Digna H. I live in Los Angeles. I'm single.
17 I work as a behavior therapist with children who have autism.
18 I have a bachelor's degree in sociology, and currently I'm a
19 graduate student with the USC School of Social Work. And no
20 adult children living at home. I've served on a jury panel
21 once before. It was a criminal case.

22 Magazines: I don't subscribe to really any magazines
23 or newspapers. Hobbies: Travel. What TV programs? Different
24 ones: *Law and Order SVU*, *The Walking Dead*, among many others.
25 And I enjoy reading mystery books and true crime books. And

1 I've never been sued and never sued anyone.

2 THE COURT: Thank you, ma'am.

3 Peremptory is with the government.

4 MS. CARTER: One moment, Your Honor.

5 The government would ask the court to thank and
6 excuse prospective juror No. 12.

7 THE COURT: Ms. H, thank you, ma'am.

8 THE CLERK: Mr. Raymond L.

9 **RAYMOND L**

10 BY THE COURT:

11 Q. Mr. L, did you hear the statements and questions I put to
12 the other jurors?

13 A. Yes, I did.

14 Q. Except as to those questions which must be answered
15 personally, would your answers be any different than the jurors
16 now sitting in the jury box?

17 A. No, Your Honor.

18 Q. Would you give us the information on the sheet, please.

19 A. My name is Raymond L. I live in Sunland, California. I'm
20 single. I work as a biomedical engineer for an international
21 chemistry instrument manufacturing company as a field engineer.
22 Yes, I have a degree in biomedical engineering and electronics.
23 I have two adult children, neither of which living at home.
24 Yes, I have served on jury duty in the last couple of years on
25 a drunk driving case.

I don't subscribe to any magazines. I read a lot of technical journals. Hobbies are waterskiing, watching TV. I like anything that's -- as far as TV programs, I enjoy anything that's not reality. What kind of books? Like I said, basically technical journals. And no, I have not been sued.

6 THE COURT: Thank you, sir.

7 Peremptory is with the government -- with the
8 defendant. I'm sorry.

9 MR. CANTALUPO: Your Honor, the defendants would ask
10 the court to thank and excuse juror No. 12, Mr. L.

11 THE COURT: Mr. L, thank you, sir.

12 THE CLERK: Ms. Joyce Y.

13 JOYCE Y

14 BY THE COURT:

15 Q. Ms. Y, did you hear the statements and questions I put to
16 the other jurors?

17 A. I did.

18 Q. Except as to those questions which must be answered
19 personally, would your answers be any different than the jurors
20 now sitting in the jury box?

21 A. No, sir.

22 Q. Would you give us the information on the sheet, please.

23 A. Yes. My name is Joyce Y. I live in El Segundo. I'm
24 divorced. My occupation is aerospace industry engineering

25 I've been at my -- in this present job for 15 years. Education

1 is master's. My course of study was psychology and computer
2 science. I have no adult children living at home.

3 I have been called before to serve as a juror, it
4 never materialized. When and where, that happened in
5 St. Cloud, Minnesota. The case was -- I can't remember. No
6 verdict.

7 Magazines: I enjoy *Oprah, Dr. Oz, Phil Donahue Show*.
8 My hobbies include -- I like the cooking shows, *Rachel Ray*,
9 *Chopped*. TV shows: Programs would be *How To Get Away With*
10 *Murder*. Also I like *Next Top Model*. What kinds of books: I
11 read things from the *Wall Street Journal*, to nonfiction or
12 fiction, *50 Shades of Grey*. Have I ever been sued? I have
13 sued someone, and I've never been sued by anyone.

14 THE COURT: Peremptory is with the defendants.

15 MR. DIAZ: Your Honor, the defense would like to
16 thank and excuse juror No. 10.

17 THE COURT: Mr. T, thank you, sir.

18 THE CLERK: Ms. Joann L, please step forward and take
19 the seat.

20 JOANN L

21 BY THE COURT:

22 Q. Ms. L, did you hear the statements and questions I put to
23 the other jurors?

24 A. Yes, I did.

25 Q. Except as to those questions which must be answered

1 personally, would your answers be any different than the jurors
2 now sitting in the jury box?

3 A. No, they wouldn't.

4 Q. Would you give us the information on the sheet, please.

5 A. My name is Joann L. I live in the Palos Verdes area. I
6 am married. Human resource consultant for eight years. My
7 spouse is a marketing consultant, and he's been in his job for
8 eight years. I have a B.S. in mathematics. No graduate
9 studies. I do not have any adult children living with me.

10 I have had jury service before. It was, I think, a
11 civil case, and we reached a nonguilty verdict. No newspapers
12 or magazines. I coach a youth basketball team, and I play a
13 lot of basketball. Don't get -- not much time to watch a lot
14 of TV. Not much time to read a lot of books. And no, I have
15 never sued anyone or been sued.

16 THE COURT: Thank you, ma'am.

17 Peremptory is with the government.

18 MS. CARTER: The government would ask the court to
19 thank and excuse prospective juror No. 3.

20 THE COURT: Juror M, please. Thank you.

21 THE CLERK: Vasily L.

22 **VASILY L**

23 BY THE COURT:

24 Q. Mr. L, did you hear the statements and questions I put to
25 the other jurors?

1 A. Yes, sir.

2 Q. Except as to those questions which must be answered
3 personally, would your answers be any different than the jurors
4 now sitting in the jury box?

5 A. Nope.

6 Q. Would you give us the information on the sheet, please.

7 A. My name is Vasily L. I live in Encino, California. I'm
8 married for five years. I'm an I.T. professional, I work in
9 I.T. My spouse is a makeup artist. I have a B.S. in network
10 and communication management. We don't have kids. I've never
11 done jury service.

12 I like cars, racing. So I have a *Motor Trend*
13 *Magazine* subscription. As far as news, I watch -- I'm Russian,
14 so I watch a lot of Russian Ukraine news following on this
15 weird topic right now. Hobbies: Krav Maga. It's a
16 self-defense system. Don't watch any other TV programs.
17 Books: No books. I watch everything online. Never sued
18 anyone and never been sued.

19 THE COURT: Thank you, sir.

20 Peremptory is with the defendants.

21 MR. BRAUN: Your Honor, the defense would like to
22 thank and excuse juror No. 2.

23 THE COURT: Ms. L, thank you, ma'am.

24 THE CLERK: Mr. Alejandro P, please step forward and
25 fill seat No. 2.

1 **ALEJANDRO P**

2 BY THE COURT:

3 Q. Mr. P, did you hear the statements and questions I put to
4 the other jurors?

5 A. Yes, Your Honor.

6 Q. Except as to those questions which must be answered
7 personally, would your answers be any different than the jurors
8 now sitting in the jury box?

9 A. No, Your Honor.

10 Q. Would you give us the information on the sheet, sir.

11 A. My name is Alejandro P. I live in Thousand Oaks. I am
12 single. I work as a CAD designer for an aerospace company. I
13 have some college-level classes. No adult children. No
14 children at all. I have never been jury service.

15 I don't read a lot of magazines. Hobbies include
16 automotive, cycling, music. TV programs: A little bit of
17 reality, a lot of like *National Geographic* and that type of
18 stuff. No books. And I've never sued or been sued.

19 THE COURT: Thank you, sir.

20 Peremptory is with the defendants.

21 MR. CANTALUPO: Your Honor, the defendants would ask
22 the court to thank and excuse juror No. 12, Ms. Y.

23 THE COURT: Ms. Y, thank you.

24 THE CLERK: Mr. Ted P, please come forward and take
25 that seat.

1

TED P

2 BY THE COURT:

3 Q. Mr. P, did you hear the statements and questions I put to
4 the other jurors?

5 A. Yes, I did, Your Honor.

6 Q. Except as to those questions which must be answered
7 personally, would your answers be any different than the jurors
8 now sitting in the jury box?

9 A. Before I answer that, I do have to say that I do have a
10 friend who is in the sheriff's department, dear friend of mine,
11 who lives close to where they're at. But other than that, no.

12 Q. All right.

13 Anything in that relationship that you feel might
14 affect your judgment either for or against the government or
15 for or against the defendants here?

16 A. No.

17 Q. All right.

18 Give us the information on the sheet, please.

19 A. My name is Ted P. I live in La Verne. I'm single. I'm
20 currently a beekeeper. I have some college. I have no
21 children. I've never done jury service before.

22 Magazines and newspapers: *L.A. Times*. Hobbies: I
23 like photography. TV programs: *News, Daily Show*. Books that
24 I like to read: Just nonfiction and science fiction. And I've
25 never been sued or sued anyone.

1 THE COURT: Thank you, sir.

2 Peremptory is with the government.

3 MS. CARTER: The government would ask the court to
4 thank and excuse prospective juror No. 12.

5 THE COURT: Mr. P, thank you, sir.

6 THE CLERK: Ramona A.

7 RAMONA A

8 BY THE COURT:

9 Q. Ms. A, did you hear the statements and questions I put to
10 the other jurors?

11 A. Yes.

12 Q. Except as to those questions which must be answered
13 personally, would your answers be any different than the jurors
14 now sitting in the jury box?

15 A. No.

16 Q. Would you give us the information on the sheet, please.

17 A. Okay. My name is Ramona A. I live in Huntington Park.

18 I'm a widow. I'm a teacher, retired teacher, and now I'm
19 substitute actually, right now. My level of education, it's a
20 bachelor in Spanish. I have two credentials. I don't have
21 adult living at home. I have three sons: One is a broker; and
22 two, they're doctor degree. I never have been -- give service
23 here.

24 Magazines and newspapers: Oprah. Hobbies: Ride a
25 bike, listen to music, and play with my grandchildren. Fox

1 News is my channel. What -- books to read: Fiction, and
2 especially children's book. *I Love You Forever*, that's my
3 favorite. Have you ever -- no. And never having sued.

4 Q. Thank you, ma'am.

5 A. You're welcome.

6 THE COURT: Peremptory is with the defendants.

7 MR. DIAZ: Your Honor, the defense would like to
8 thank and excuse prospective juror No. 2.

9 THE COURT: Mr. P.

10 THE CLERK: Mr. Martin C.

11 MARTIN C

12 BY THE COURT:

13 Q. Mr. C, did you hear the statements and questions I put to
14 the other jurors?

15 A. Yes, Your Honor.

16 Q. Except as to those questions which must be answered
17 personally, would your answers be any different than the jurors
18 now sitting in the jury box?

19 A. No, Your Honor.

20 Q. Would you give us the information on the sheet, please.

21 A. My name is Martin C. I live in Diamond Bar. I'm married.
22 I work for UPS as a driver. I have some college. No adults
23 living at home. I have been to jury duty twice. I read the
24 newspaper. I like to play sports. I watch sports. I don't
25 read books. Never been sued or sued.

1 THE COURT: Thank you, sir.

2 Peremptory is with the defendants.

3 MR. BRAUN: Your Honor, the defense would like to
4 thank and excuse juror No. 10.

5 THE COURT: Ms. L, thank you.

6 THE CLERK: Ms. C.

7 BREANN C

8 THE COURT: Ms. C, did you hear the statements and
9 questions I put to the other jurors?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Except as to those questions which must
12 be answered personally, would your answers be any different
13 than the jurors now sitting in the jury box?

14 PROSPECTIVE JUROR: No.

15 THE COURT: Would you give us the information on the
16 sheet, please.

17 PROSPECTIVE JUROR: My name is Breann C. I live in
18 Torrance, California. I'm single. I work in retail for about
19 five years. I'm currently studying sociology and psychology.
20 I have no children. I have never been on jury before. I don't
21 read magazines or newspapers. My hobbies would be bike riding
22 and going to the gym. I don't watch TV. And I like mystery
23 and romance books. And I've never been sued or I've never sued
24 anybody.

25 THE COURT: Thank you, ma'am.

1 Peremptory is with the government.

2 MS. CARTER: One moment, Your Honor.

3 The government would ask Your Honor to thank and
4 excuse prospective juror No. 4.

5 THE COURT: Ms. A.

6 THE CLERK: Chaoran Y.

7 **CHAORAN Y**

8 BY THE COURT:

9 Q. Ms. Y, did you hear the statements and questions I put to
10 the other jurors?

11 A. Yes.

12 Q. Except as to those questions which must be answered
13 personally, would your answers be any different than the jurors
14 now sitting in the jury box?

15 A. No.

16 Q. Give us the information on the sheet, please.

17 A. Okay. My name is Chaoran Yu. My general area is I live
18 in city of Azusa. I'm married. I'm in accounting firm for one
19 year. And I'm bachelor's from the UCSD. My major is
20 mathematics and accounting. I don't have children. I have one
21 jury service before.

22 I don't read magazines and newspapers. I like to
23 cooking and dancing. I love to watch reality shows. I love to
24 read novels. I have never been sued anyone and been sued.

25 THE COURT: Thank you.

1 Peremptory is with the defendants.

2 MR. DIAZ: Your Honor, the defense would like to
3 thank and excuse prospective juror No. 4.

4 THE COURT: Ms. Y, thank you, ma'am.

5 THE CLERK: Mr. Scott W.

6 SCOTT W

7 BY THE COURT:

8 Q. Did you hear the statements and questions I put to the
9 other jurors?

10 A. Yes, I did.

11 Q. And except as to those questions which must be answered
12 personally, would your answers be any different than the jurors
13 now sitting in the jury box?

14 A. No, they wouldn't.

15 Q. Then give us the information on the sheet, please.

16 A. My name is Scott W. I live in Castaic, California. I'm
17 married. I'm an actor and a tour guide at a studio in Burbank.
18 Education level is some college. I have one adult child living
19 at home. I did serve on a jury once before. It was a civil
20 case. Before it went to trial, there was a plea bargain.

21 I don't read magazines or newspapers. Hobbies would
22 include bicycling and going to theme parks. Television
23 programs: Pretty much anything other than reality because it
24 takes jobs away from people like me. Books would be fiction
25 novels and screenplays. I've never been sued by anyone. My

1 wife and I did sue someone in small claims court about 17 years
2 ago.

3 THE COURT: Call two alternates.

4 THE CLERK: Ms. Arlene L and June A.

5 **ARLENE L**

6 BY THE COURT:

7 Q. Ms. L, did you hear the statements and questions I put to
8 the other jurors?

9 A. Yes.

10 Q. Except as to those questions which must be answered
11 personally, would your answers be any different than the jurors
12 now sitting in the jury box?

13 A. No.

14 Q. Would you give us the information on the sheet, please.

15 A. My name is Arlene L. I live in Atwater Village. I am
16 married. I do retail. Been there the past 11 years. My
17 husband works for a biomechanical. He's been there for 17
18 years. Have some college. I do have one child, two-year-old.
19 I have served before, about 14 years ago for -- with a civil
20 case. I don't read magazines, newspapers. Hobbies are
21 cooking. TV shows: Cooking as well. Books: Mystery books.
22 And I've never sued or been sued by anybody.

23 THE COURT: Thank you, ma'am.

24 **JUNE A**

25 ///

1 BY THE COURT:

2 Q. Ms. A, did you hear the statements and questions I put to
3 the other jurors?

4 A. Yes.

5 Q. Except as to those questions which must be answered
6 personally, would your answers be any different than the jurors
7 now sitting in the jury box?

8 A. Well, I do have a couple of relatives that work for the
9 police department, and a couple of friends that work for the
10 sheriff.

11 Q. Anything in those relationships that you feel might affect
12 your judgment either for or against the government or for or
13 against the defendants here?

14 A. No.

15 Q. Give us the information on the sheet, please.

16 A. My name is June A. I live in Gardena, California. I'm
17 married. I'm a payroll clerk, working for 29 years for L.A.
18 County. My husband works with LADWP, 24 years. I have an A.A.
19 degree. I have one adult child living at home. I've served on
20 a few juries but can't remember what they were.

21 I subscribe to *L.A. Times*. I dirt bike ride; I like
22 dancing. Watch reality shows. Read books: Fiction and
23 nonfiction. Never been sued or sued anyone.

24 THE COURT: Thank you, ma'am.

25 Peremptory to the alternates is with the government.

1 MS. CARTER: One moment, Your Honor.

2 THE COURT: With the defendants -- oh. I'm sorry.

3 MS. CARTER: I'm sorry, Your Honor. Was that with
4 the government?

5 THE COURT: Yes, with the government.

6 MS. CARTER: Your Honor, the government would ask you
7 to please thank and excuse alternate No. 2.

8 THE COURT: Ms. A, thank you, ma'am.

9 THE CLERK: Ms. Shannon M.

10 **SHANNON M**

11 BY THE COURT:

12 Q. Ms. M, did you hear the statements and questions I put to
13 the other jurors?

14 A. Yes.

15 Q. Except as to those questions which must be answered
16 personally, would your answers be any different than the jurors
17 now sitting in the jury box?

18 A. No.

19 Q. Would you give us the information on the sheet, please.

20 A. My name is Shannon M. I live in Los Angeles. Single.
21 Occupation would be a manager at DMV for about ten years. No
22 college. No adult children. I've never served on a jury. No
23 magazines or newspapers. My hobbies would be amusement parks,
24 spending time with family. Watch various TV programs from
25 reality TV to *Law and Order*. I read fiction books. And I've

1 never been sued or sued anyone.

2 THE COURT: Thank you, ma'am.

3 Peremptory is with the defendants.

4 MR. CANTALUPO: Your Honor, the defendants would ask
5 the clerk to thank and excuse alternate juror No. 2, Ms. M.

6 THE COURT: Ms. M, thank you, ma'am.

7 THE CLERK: Mr. Joseph E.

8 **JOSEPH E**

9 BY THE COURT:

10 Q. Mr. E, did you hear the statements and questions I put to
11 the other jurors?

12 A. Yes, sir.

13 Q. Except as to those questions which must be answered
14 personally, would your answers be any different than the jurors
15 now sitting in the jury box?

16 A. No, sir.

17 Q. Would you give us the information on the sheet, please.

18 A. My name is Joseph E. I live in West Hollywood. Marital
19 status: I've been single for 81 years, plus. I'm retired. I
20 have a college degree. No adult children living at home. I'm
21 a caregiver for a lot of adults in my building.

22 I've answered the call to jury summonses for 50 years
23 here in L.A. I read old newspapers and books, mostly *L.A.*
24 *Times* or *USA Today*. Hobbies: Running, walking and sports. TV
25 programs: Mostly sports or *CNN*. Books: Mostly sports

1 magazines. I've never sued anyone or been sued by anyone.

2 THE COURT: Thank you, sir.

3 Swear the jury.

4 THE CLERK: Okay.

5 Please stand.

6 (Jury panel sworn.)

7 THE COURT: Members of jury panel who have not been
8 called, if you will return to the jury room. We do thank you
9 for coming here this morning.

10 Members of the jury, we will take a recess until
11 1:30. Remind you of your duty not to converse or otherwise
12 communicate among yourselves or with anyone upon any subject
13 touching the merits of the cause on trial, and you are not to
14 form or express any opinion in the case until it is finally
15 submitted to you for your verdict.

16 The jury is excused until 1:30. The jury is excused;
17 the court will remain in session.

18 THE COURT: 1:30.

19 (P.M. session reported by Sheri Kleeger.)

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1 C E R T I F I C A T E

2

3 I hereby certify that pursuant to Section 753,

4 Title 18, United States Code, the foregoing is a true and

5 correct transcript of the stenographically reported proceedings

6 held in the above-entitled matter and that the transcript page

7 format is in conformance with the regulations of the Judicial

8 Conference of the United States.

9

10 Date: JUNE 1, 2015

11

12 /S/ _____

13 Deborah K. Gackle
CSR No. 7106

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